

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NATHAN LEFTENANT, ARNETT
LEFTENANT, JERYL BRIGHT, GREGORY
JOHNSON, and THOMAS (“TOMI”)
JENKINS,

Plaintiffs,

v.

LAWRENCE (“LARRY”) BLACKMON,

Defendant.

LAWRENCE (“LARRY”) BLACKMON,

Counterclaim Plaintiff,

v.

NATHAN LEFTENANT, ARNETT
LEFTENANT, JERYL BRIGHT, GREGORY
JOHNSON, and THOMAS (“TOMI”)
JENKINS,

Counterclaim Defendants.

Case No. 2:18-cv-01948-EJY

ORDER

Pending before the Court is Plaintiffs’ Motion for Leave to File Under Seal. ECF No. 418. Plaintiffs seek to seal Exhibit A to the Declaration of Lita Rosario-Richardson as the Exhibit contains confidential communication and refers to the 2015 UMG CAMEO Settlement Agreement. *Id.* at 2.

As the party seeking to seal a judicial record, Plaintiffs must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (holding that those who seek to maintain the secrecy of documents attached to non-dispositive motions must demonstrate “good cause” supporting secrecy). However, “[this] presumption does not apply to materials filed with the court under seal subject to a valid protective order.” *Krause v. Nev. Mut. Ins. Co.*, 2013 U.S. Dist. LEXIS 98351 at *5-6 (D. Nev. July 15, 2013) (citing *Phillips v. GMC*, 307 F.3d 1206, 1213 (9th Cir. 2002)). Instead, “when a district court grants a protective order to seal documents... ‘it has already

1 determined that ‘good cause’ exists to protect this information from being disclosed to the public...”
2 *Kamakana*, 447 F.3d at 1180. The good cause standard applies here.

3 Upon review of the document Plaintiffs seek to seal, the Court finds Exhibit A to the
4 Declaration of Lita Rosario is properly sealed. The Court finds Plaintiffs have demonstrated good
5 cause sufficient to grant the instant Motion. *Kamakana*, 447 F.3d at 1180.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiffs’ Motion for Leave to File Under
7 (ECF No. 418) is GRANTED. Plaintiffs may file redacted versions of their declarations on the
8 public record as stated in the Motion.

9 IT IS FURTHER ORDERED that Exhibit A to the Declaration of Lita Rosario-Richardson
10 (ECF No. 419) shall remain sealed.

11 Dated this 16th day of June, 2023.

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14 ELAYNA J. YOUCHAH
15 UNITED STATES MAGISTRATE JUDGE
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